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FINAL REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS POLICE SUPPORT GROUP

I. INTRODUCTION

1. The present report provides an assessment of the situation in the Danube region of Croatia ("the region") since the submission of my last report on 23 September 1998 (S/1998/887).

II. COMPLETION OF THE POLICE SUPPORT GROUP'S MANDATE

2. The mandate of the Police Support Group, established by the Security Council in its resolution 1145 (1997) of 19 December 1997, has been fully completed and came to an end on 15 October 1998. The Organization for Security and Cooperation in Europe (OSCE) took over the police monitoring responsibilities on the following day. The transition was seamless and 118 OSCE police monitors have been deployed in all local police stations previously staffed by the Police Support Group. Sixty of those police monitors have served previously with the United Nations. The Ministry of the Interior of Croatia has confirmed to OSCE that its police monitors will enjoy the same access to police stations, documents and police operations, including investigations and checkpoints, as the Police Support Group operation.

III. SITUATION IN THE REGION

3. The overall security situation in the region remains satisfactory, although there continues to be a worrying trend of ethnically motivated incidents. Police performance has improved notably since the beginning of the Police Support Group's mandate and the Government has taken steps to ensure that this continues. Such steps include full respect by the Government for the commitments related to the local police outlined in its letter of 13 January 1997 (S/1997/27, annex) and the maintenance of proportional Serb representation, including at senior positions, in the police force. Further steps could include continuing action to increase the level of professional training of the police in the region and the provision of greater support for the judicial system to overcome the substantial case backlog and improve the transparency of its operations.

4. Measures should also be taken to enhance public confidence in the police force through an active public information campaign, police preventive action and the institution of a community policing programme to enhance the links between the police force and the community that it serves, as called for by the Security Council in its presidential statement of 2 July 1998 (S/PRST/1998/19). Without such steps, improvements in police performance will remain imperceptible to the communities in the region and therefore do little to enhance the sense of security felt by residents. The perception of a lack of security is one of the main reasons contributing to the continuing departures of Serbs from the region.

5. Returns to Croatia, under the auspices of the "Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons" (S/1998/589) ("the return programme"), have continued, albeit slowly. While the return programme contains most of the elements needed to facilitate nationwide returns, it has yet to be implemented fully. So far, most returnees from the Federal Republic of Yugoslavia have been elderly individuals reuniting with other family members or returning to inhabitable houses. There has been no progress in the restitution of property to Croatian citizens of Serb ethnicity. The number of Croat displaced persons returning to the region is below all expectations, despite a surplus of available reconstructed housing in the region. The main impediment to return is the lack of employment in the area.

6. For the return programme to gather momentum, a number of outstanding issues must be addressed. The Government should harmonize legislation with the provisions of the programme to enable its non-discriminatory implementation. Areas where such action is essential include, for example, the Act on the Status of Displaced Persons and Refugees and the Law on Reconstruction. Steps should be taken to ensure that all housing commissions function effectively. Access to reconstruction funding should be equally available to all. Rights to socially owned apartments should be restored; without this, there will be few returns by displaced persons to their former urban homes. All returnees should have access to information, particularly about housing, to enable them to make an informed choice. Impediments to the acquisition of the documents needed for returnee status and benefits should be removed. Doubts about security in areas of return should also be alleviated, including by more effective policing and the opening of additional police stations. In the absence of those steps, the return programme may falter in the coming months.

7. Economic revitalization and reconstruction in the region and other war-affected areas are important elements in creating an environment supportive of sustainable and durable returns. To that end, the United Nations, through the United Nations Development Programme (UNDP), has continued to provide support to the Government's efforts to develop and implement a national reconstruction plan. The Government has recently adopted a plan incorporating the suggestions of the international community. The full and non-discriminatory implementation of that plan will underpin the return programme and encourage donor support.

8. The Joint Council of Municipalities, established under the basic agreement on the region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951, annex), is on the brink of collapse. The situation has shown no improvement since my report of 23 September 1998 (S/1998/887). Members of the Joint Council

represent all Serb ethnic communities in the region. The failure to make progress on that issue is undermining local confidence in the continued implementation of the commitments made by the Government of Croatia.

9. As noted in my report of 23 September 1998 (S/1998/887, para. 25), the Government has yet to issue the necessary instructions to implement fully the provisions of the law on convalidation. The continued failure to do so is having a significant negative effect as employees who would otherwise be eligible for pensions and other social security benefits are unable to obtain them.

10. The reconciliation programme ("The Programme for the Establishment of Trust, Accelerated Return and Normalization of Living Conditions in the War-Affected Regions of the Republic of Croatia (S/1997/772)), initiated by the Government on 9 October 1997, was intended to promote reconciliation throughout the country, with specific reference to the media, education and religion. However, the plan is not being implemented. Without reconciliation, the progress made so far in returns may prove only temporary, while the causes of ethnic incidents throughout the country remain unaddressed. That will continue to undermine the prospects for maintaining multi-ethnicity. I urge the Government to recommit itself fully to the national reconciliation process.

IV. OBSERVATIONS

11. The liquidation of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) has been completed and the liquidation of the Police Support Group is expected to be completed by 15 December 1998.

12. The conclusion of the Police Support Group's mandate marks the positive outcome of the use of civilian police personnel to ensure the consolidation of peace after the withdrawal of a much larger operation. In fulfilling its mandate, the Police Support Group helped to prevent the return of instability to the region. It proved to be a cost-effective instrument in helping to maintain conditions conducive to an orderly hand-over to OSCE pending the ultimate transfer of full responsibilities to the national authorities.

13. In conclusion, I would like to record my appreciation to my Representative, Souren Seraydarian, as well as the Police Commissioner, Halvor Hartz, and all the men and women of the Police Support Group for their dedication and perseverance in carrying out the tasks entrusted to them by the Security Council.